

Message Text

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ACTION OPIC-06

INFO OCT-01 ARA-10 ISO-00 EB-08 PM-05 DODE-00 SPTA-02

L-03 XMB-02 CIAE-00 INR-10 NSAE-00 TRSE-00 SP-02

INRE-00 SSO-00 SS-15 NSCE-00 HA-05 /069 W

-----090591 232319Z /45

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FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 8570

INFO PANCANAL

USSOUTHCOM

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E.O. 11652: N/A

TAGS: EFIN, US, PN

SUBJECT: EXCHANGE OF NOTES ON ECONOMIC-MILITARY
ARRANGEMENTS

REF: A. STATE 200911, B. STATE 205023, C. STATE 173401

D. PANAMA 05785

1. DCM MET TODAY WITH CARLOS LOPEZ-GUEVARA TO DISCUSS
DRAFT NOTE ON ECONOMIC AND MILITARY COOPERATION. OUR
PROPOSED DRAFT OMITTED REFERENCE TO GOP OR COFINA
GUARANTEES AND INCLUDED THE CHANGES IN THE SPANISH
LANGUAGE VERSION RECOMMENDED IN REFERENCE (C). LOPEZ-
GUEVARA ACCEPTED OUR PROPOSED NOTE AS WELL AS THE PROPOSED
GOP REPLY WHICH WOULD CONSTITUTE ACCEPTANCE OF OUR
PROPOSAL. (HE SUGGESTED ONLY THAT "QUALQUIER" BE CHANGED
TO "LOS" IN PARA 3 OF THE SPANISH LANGUAGE VERSION OF OUR
NOTE.)

2. WE HAVE NOT YET RECEIVED A REPLY TO THE POATS/
BARLETTA LETTER ASKING FOR CONFIRMATION OF PRIOR UNDER-
STANDING OF GOVERNMENTAL GUARANTEE AND ACCORDING TO LOPEZ-
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GUEVARA WE WILL NOT RECEIVE A REPLY BECAUSE THE GOP IS
FIRMLY AGAINST A SEPARATE NOTE OR LETTER OF UNDERSTANDING
THAT RANKING OFFICIALS CONSIDER UNWISE AS WELL AS
UNNECESSARY. HE RESTATED HIS VIEW THAT PANAMANIAN LAW
REQUIRES THE GOP TO GUARANTEE THE OBLIGATIONS OF COFINA
SO THAT A SEPARATE GUARANTEE IS UNNECESSARY. THE BOTTOM
LINE IN TODAY'S DISCUSSION IS THAT GOP IS EXTREMELY

ANXIOUS TO EXCHANGE ASAP. THEY ARE WILLING TO DO SO
WITHOUT INCLUDING THE DISPUTED GUARANTEE CLAUSE (THE
LANGUAGE AGREED ON TODAY) OR BY INCLUDING THE FOLLOWING:

IN OUR NOTE AT THE END OF PARA 3 "THE OPIC GUARANTEE
IS SUBJECT TO A GOVERNMENT OF PANAMA GUARANTEE TO OPIC OF
AMOUNTS GUARANTEED BY OR DUE TO OPIC."
IN THE GOP NOTE OF REPLY ADD A PENULTIMATE PARAGRAPH
"THE REPUBLIC OF PANAMA GUARANTEES THE FAITHFUL COMPLIANCE
BY COFINA WITH ITS OBLIGATIONS TO OPIC."

3. AMBASSADOR ALSO DISCUSSED ECONOMIC-MILITARY AGREEMENT
TODAY WITH THE FOREIGN MINISTER. THEY DID NOT GET INTO
THE ISSUE OF THE "SEPARATE UNDERSTANDING" BUT THE FOREIGN
MINISTER INDICATED HE HOPED TO EXCHANGE NOTES BEFORE
AMBASSADOR JORDEN'S DEPARTURE.

4. EMBASSY TOO WOULD LIKE TO COMPLETE THIS AGREEMENT AND
BELIEVES IT IS NOT LIKELY THAT GOP WILL MOVE FROM ITS
PRESENT POSITION. JORDEN

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